

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION**

Eric Alan Sanders, )  
                        )  
                        ) Civil Action No.: 0:18-cv-02601-JMC  
Plaintiff,         )  
                        )  
                        )  
v.                    )  
                        )  
South Carolina Workers' Compensation     )  
Commission; Mike Campbell; Scott Beck;    )  
Barbara Cheesboro; Susan Barden; Eugenia   )  
Hollmon; Valerie Deller; Shawn Debruhl;    )  
Gary M. Cannon,     )  
                        )  
Defendants.         )  
\_\_\_\_\_  
                        )

**ORDER**

This matter is before the court upon review of the Magistrate Judge's Report and Recommendation ("Report") (ECF No. 165), filed on September 3, 2020, recommending (1) that the instant civil rights action be dismissed for lack of prosecution and (2) that Defendant's Motion for Default Judgment (ECF No. 122), Defendant's Motion for Sanctions and Legal Fees, and Defendant's Motion to Dismiss (ECF No. 153) be terminated.

The Magistrate Judge's Report is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court which has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made. *See Diamond v. Colonial Life and Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

The parties were advised of their right to file objections to the Report. (*See* ECF No. 165 at 3.) None of the parties filed objections to the Report.

In the absence of objections to the Magistrate Judge's Report, this court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Diamond*, 416 F.3d at 315 (quoting Fed. R. Civ. P. 72 advisory committee's note). Furthermore, failure to file specific written objections to the Report results in a party's waiver of the right to appeal from the judgment of the District Court based upon such recommendation. *See* 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 153-54 (1985).

After a thorough review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law and does not contain clear error. Therefore, the court **ACCEPTS** the Magistrate Judge's Report and Recommendation (ECF No. 165), **DISMISSES WITH PREJUDICE** Plaintiff's instant action for lack of prosecution (ECF No. 59), and **DENIES** Defendant's Motion for Default Judgment (ECF No. 122), Defendant's Motion for Sanctions and Legal Fees, and Defendant's Motion to Dismiss (ECF No. 153).

**IT IS SO ORDERED.**



J. Michelle Childs  
United States District Judge

September 24, 2020  
Columbia, South Carolina